

## II. CLAIM AMENDMENTS

1. (Currently Amended) An apparatus comprising:

a portable radio telephone;

an antenna with a pivot point positioned within the radio telephone, wherein the antenna is arranged to pivot about the pivot point only at an acute angle in a single plane and ~~through an acute angle~~ between a first position in which it projects from a surface of the telephone, and a second position in which it projects from a surface of the telephone, the antenna being biased and configured to be locked as the antenna pivots,

wherein the single plane is substantially perpendicular to a front surface of the radio telephone.

2. (Previously Presented) The apparatus of claim 1, further comprising a switch actuated by pivoting the antenna for controlling operation of the radio telephone.

3. (Previously Presented) The apparatus of claim 1, wherein the antenna is biased towards the first position.

4. (Previously Presented) The apparatus of claim 1, wherein the antenna is releasably locked in the first position.

5. (Previously Presented) The apparatus of claim 1, further comprising a switch for controlling operation of the radio telephone and an actuator on the antenna for actuating the switch.

6. (Previously Presented) The apparatus of claim 1, wherein the antenna is biased towards the second position.

7. (Previously Presented) The apparatus of claim 1, wherein the antenna is releasably locked in the second position.

8. (Previously Presented) The apparatus of claim 1, wherein in the first position the antenna projects substantially parallel with a major axis of the main body portion.

9. (Previously Presented) The apparatus of claim 1, wherein in the first position the antenna projects substantially perpendicular to the top surface of the main body portion.

10. (Previously Presented) The apparatus of claim 1, wherein the profile of the radio telephone is minimised when the antenna is in the first position.

11. (Previously Presented) The apparatus of claim 1 wherein in the second position the antenna is canted relative to a major axis of the main body portion.

12. (Previously Presented) The apparatus of claim 1, wherein the single plane of rotation intersects the top surface of the main body portion.

13. (Cancelled)

14. (Previously Presented) The apparatus of claim 1, wherein the antenna is a non-retracting helical antenna.

15. (Previously Presented) The apparatus of claim 1, wherein the main body portion includes an earpiece positioned near the antenna.

16. (Previously Presented) The apparatus of claim 1, wherein the main body portion includes a microphone positioned distant from the antenna.

17. (Previously Presented) The apparatus of claim 1, wherein the antenna extends beyond the main body portion.

18. (Currently Amended) An apparatus comprising:

a portable radio telephone; and

a non-retracting antenna configured for single handed operation, the antenna having a pivot point positioned within the radio telephone, wherein the antenna pivots about the pivot point only at an acute angle in a single plane ~~and through an acute angle between~~ a first position in which it projects from a surface of the telephone and a second position in which it projects from a surface of the telephone, the antenna being biased and adapted to be locked as the antenna pivots.<sub>1</sub>

wherein the single plane is substantially perpendicular to a front surface of the radio telephone.

19. (Previously Presented) The apparatus of claim 18 wherein the antenna in the first position is stable and wherein the antenna is biased towards the first stable position.

20. (Previously Presented) The apparatus of claim 19 wherein the antenna in the second position is stable and wherein the antenna is biased towards the second stable position and wherein the antenna is releasably locked in the first stable position or the second stable position.

21. (Previously Presented) A portable radio telephone comprising an antenna with a pivot point internal to the telephone, wherein the antenna is arranged to pivot about the pivot point only at an acute angle in a single plane and through an acute angle between a first position in which it projects from a surface of the telephone, and a second position in which it projects from a surface of the telephone, the antenna being biased and configured to be locked as the antenna pivots, wherein the single plane is substantially perpendicular to a front surface of the radio telephone.

22. (Previously Presented) The portable radio telephone of claim 21 further including stop members internally of the telephone for limiting the movement of the antenna through the acute angle.

23. (Previously Presented) The portable radio telephone of claim 21, further comprising a switch for controlling operation of the radio telephone and an actuator on the antenna for actuating the switch.

24. (Previously Presented) The portable radio telephone of claim 1 wherein the antenna is releasably locked in the upright position, and once released is biased towards a fully canted position whereby the antenna is stable in the upright and the fully canted positions.

25. (Previously Presented) The portable radio telephone of claim 1 wherein the antenna is releasably locked in a fully canted position, and once released is biased towards the upright position whereby the antenna is stable in the upright and the fully canted positions.

26. (Previously Presented) The portable radio telephone of claim 1 wherein the antenna is always biased towards a fully canted position whereby the antenna is stable in the fully canted position.

27. (Cancelled)